

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Frank Scott,)	No. CV 04-00017-PHX-EHC
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Dora Schriro, et al.,)	
)	
Defendants.)	
)	

Before the Court is Petitioner's Petition for Writ of Habeas Corpus (Dkt. 1) pursuant to 28 U.S.C. § 2254. Magistrate Judge Charles R. Pyle has issued a Report and Recommendation (Dkt. 51) recommending that Petitioner's writ be denied. Petitioner has filed Objections (Dkt. 58).

The Court reviews *de novo* the portions of the Magistrate Judge's Report and Recommendation to which Petitioner has filed an objection. 28 U.S.C. § 636(b)(1)(C) ("a judge of the court shall make a de novo determination of those portions of the report, ..., to which objection is made."); see also United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003). The district court is not required to review any issue that is not the subject of an objection. Schmidt v. Johnstone, 263 F. Supp. 2d 1219 (D. Ariz. 2003), citing Thomas v. Arn, 474 U.S. 140, 149 (1985).

1 The Court has reviewed *de novo* the record in this matter and agrees with the
2 Report and Recommendation of the Magistrate Judge regarding disposition. The Court
3 has also considered the three pending motions filed prior to the issuance of the Report and
4 Recommendation, and finds that they do not impact upon the outcome of this case.¹

5 Accordingly,

6 **IT IS ORDERED** adopting in full the Magistrate Judge's Report and
7 Recommendation (Dkt. 51).

8 **IT IS FURTHER ORDERED** granting Dockets 47 and 49 to the extent that these
9 motions request consideration of the arguments advanced therein, and denying these
10 motions to the extent they request further relief.

11 **IT IS FURTHER ORDERED** denying as moot Petitioner's Motion for Status
12 Update (Dkt. 50).

13 **IT IS FURTHER ORDERED** that Petitioner's Writ of Habeas Corpus pursuant
14 to 28 U.S.C. § 2254 (Dkt. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**.

15 DATED this 29th day of February, 2008.

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Earl H. Carroll
19 United States District Judge
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¹Petitioner filed a Motion for Lodging Formal Legal Objections to the Respondent's
25 Filing Improper Status Report (Dkt. 47), a Motion to Inform the Court that Respondents'
26 Agents Delayed the Petitioner's Receipt of Respondents Nov. 1st Response, until Nov. 10th
27 (Dkt. 49), and a Motion to Request A Status Update (Dkt. 50). To the extent that Dockets
28 47 and 49 request consideration of the arguments advanced therein, they are granted, but are
otherwise denied to the extent they request further relief. Because the Magistrate Judge
issued a Report and Recommendation, Docket 50 is now moot.